

In the United States Court of Federal Claims

No. 19-1067C

(Filed: October 28, 2019)

ERIC-ANTHONY MILLER,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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DISMISSAL ORDER

As directed by two orders of the court issued on July 19, 2019, and September 25, 2019, plaintiff was required to either pay the filing fee for this suit, or to comply with the requirements that permit prisoners to proceed in forma pauperis. See ECF Nos. 5, 8 (orders). Compliance with the first order was due on or before August 28, 2019; compliance with the second order was due on or before October 11, 2019. Id. Plaintiff missed both of these filing deadlines and to date has not complied with the court's filing requirement.

Both orders warned plaintiff that if he did not comply with the filing requirement, his suit would be dismissed for failure to prosecute pursuant to Rule 41 of the Rules of the United States Court of Federal Claims (RCFC). See ECF No. 5 at 2; ECF No. 8 at 1. Dismissal under this rule "operates as an adjudication on the merits." RCFC 41(b). Accordingly, the clerk's office is directed to **DISMISS** this suit for failure to prosecute, pursuant to RCFC 41(b), **with prejudice**.

IT IS SO ORDERED.


PATRICIA E. CAMPBELL-SMITH
Judge